



# Senate

General Assembly

**File No. 160**

February Session, 2008

Substitute Senate Bill No. 286

*Senate, March 26, 2008*

The Committee on Transportation reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE HOURS OF OPERATION OF THE  
OFFICIAL WEIGHING AREAS IN GREENWICH, DANBURY AND  
UNION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-270c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) The Commissioners of Public Safety and Motor Vehicles shall  
4 staff the official weighing areas as follows:

5 (1) Greenwich: Eight work shifts in each seven-day period from  
6 Sunday through Saturday. No such shifts shall be worked  
7 consecutively, except that two shifts may be worked consecutively on  
8 not more than three days;

9 (2) Danbury: Three work shifts in each seven-day period from  
10 Sunday through Saturday. The Commissioner of Public Safety shall,  
11 whenever possible, coordinate coverage between this official weighing  
12 area and the official weighing area in Greenwich in order to ensure

13 concurrent coverage;

14 (3) Union: Between five and eight work shifts in each seven-day  
15 period from Sunday through Saturday. The Commissioner of Motor  
16 Vehicles shall coordinate the hours of operation of this official  
17 weighing area; and

18 (4) Portable scale locations: Ten shifts in each seven-day period from  
19 Sunday through Saturday which shall be staggered throughout the  
20 four geographical areas established by the Commissioner of Public  
21 Safety with concentration in areas that have fewer hours of operation  
22 for the permanent weighing areas.

23 (b) The Commissioners of Public Safety and Motor Vehicles shall  
24 adjust the work shifts required in subsection (a) of this section on a  
25 daily basis in order to effectuate an unpredictable schedule.

26 (c) The Commissioner of Public Safety may assign any remaining  
27 personnel in the traffic unit to the permanent weighing areas in  
28 Waterford and Middletown or to the portable scale operations.

29 (d) The Commissioner of Public Safety shall assign personnel from  
30 the traffic unit to work between nine and twelve shifts in each seven-  
31 day period from Sunday through Saturday to patrol and enforce laws  
32 relative to the safe movement of all vehicles on the highways of the  
33 state.

34 (e) Nothing in subsections (a) to (d), inclusive, of this section shall  
35 prohibit the Commissioner of Public Safety from reassigning personnel  
36 in the traffic unit as he deems necessary in order to ensure public  
37 safety.

38 (f) Notwithstanding the provisions of subsections (a) to (e),  
39 inclusive, of this section and subject to the provisions of section 14-  
40 270d, the official weighing areas in Greenwich, Danbury and Union  
41 shall have the following hours of operation: (1) Greenwich: Monday to  
42 Friday, inclusive, twelve hours per day; Saturday and Sunday, eight  
43 hours per day; (2) Danbury: Monday to Friday, inclusive, eight hours

44 per day; Saturday and Sunday, four hours per day; (3) Union: Monday  
45 to Friday, inclusive, eight hours per day; Saturday and Sunday, four  
46 hours per day.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2008</i>	14-270c
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**TRA**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

## **OFA Fiscal Note**

### **State Impact:**

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Public Safety, Dept.	GF - Cost	\$530,000- \$1.2 million	\$530,000- \$1.2 million
Comptroller Misc. Accounts (Fringe Benefits) <sup>1</sup>	GF - Cost	\$59,000- \$200,000	\$135,000- \$400,000
Department of Motor Vehicles	GF - See Below	See Below	See Below
Public Safety, Dept.	GF - Revenue Gain	900,000	900,000

Note: GF=General Fund

**Municipal Impact:** None

### **Explanation**

The bill increases the hours of operation that the Danbury, Union, and Greenwich weighing areas must be staffed by the Department of Public Safety (DPS) and the Department of Motor Vehicles (DMV) and would affect the costs, operations, and revenues of both agencies.

### **Department of Public Safety**

The increase in the hours of operation will result in additional shifts for DPS, including:

4 shifts per week at the Greenwich weigh station,

4 shifts per week at the Danbury weigh station, and

<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The first year fringe benefit costs for new positions do not include pension costs. The estimated first year fringe benefit rate as a percentage of payroll is 25.36%. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS fringe benefit rate is 33.27%, which when combined with the rate for non-pension fringe benefits totals 58.63%.

7 shifts per week at the Union weigh station.

There are three options for covering the additional shifts: (1) hiring 9 additional Troopers and 6 Weight and Safety Inspectors, (2) using overtime, and (3) hiring 3 additional Troopers and 2 weigh safety inspectors, and supplementing the additional hires with overtime.

**Option 1** results in a cost of approximately \$1.4 million (\$1.2 million to DPS, and \$200,000 to the Comptroller's fringe benefit account) and requires hiring 9 additional Troopers and 6 Weight and Safety Inspectors. The starting salary for a Trooper (including meal money) is approximately \$51,607. Additionally, approximately \$51,969 in supplies and law enforcement equipment is required for each new Trooper. The starting salary for a Weight and Safety Inspector is \$38,067.

**Option 2** results in a cost of approximately \$530,000 to DPS and requires staffing the additional shifts with overtime. The additional weigh station shifts will result in an estimated 475 hours of overtime on a bi-weekly basis. The average Trooper overtime rate is approximately \$53.96 per hour, and the average Weight and Safety Inspector overtime rate is approximately \$32.30 per hour.

**Option 3** results in a cost of approximately \$670,000 (\$611,000 to DPS and \$59,000 to the Comptroller's fringe benefit account). Option 3 requires hiring 3 additional Troopers and 2 additional Weight and Safety Inspectors, and supplements the additional hires with approximately 200 hours of overtime bi-weekly. The starting salary for a Trooper (including meal money) is approximately \$51,607. Additionally, approximately \$51,969 in supplies and law enforcement equipment is required for each new Trooper. The starting salary for a Weight and Safety Inspector is \$38,067. The average Trooper overtime rate is approximately \$53.96 per hour, and the average Weight and Safety Inspector overtime rate is approximately \$32.30 per hour.

**Department of Motor Vehicles:**

In order to meet the increased number of hours, including operating shifts on Saturday and Sunday, the DMV will redeploy existing staff from other inspection duties. This will potentially affect the number of safety inspections being performed because staff will be redeployed from shifts where truck traffic is most frequent to cover weekend shifts where such traffic is less frequent.

The costs identified above would be partially offset by an increase in revenue associated with fines issued at the weigh stations. It is anticipated that with the additional hours of operation, the Department of Public Safety would be able to issue approximately \$900,000 in potential fines at the Greenwich and Danbury weigh stations.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sSB 286*****AN ACT CONCERNING THE HOURS OF OPERATION OF THE OFFICIAL WEIGHING AREAS IN GREENWICH, DANBURY AND UNION.*****SUMMARY:**

This bill establishes mandatory daily hours of operation for the state's truck weighing and inspection facilities in Danbury, Greenwich, and Union. Currently, the law requires Department of Public Safety (DPS) and Department of Motor Vehicle (DMV) personnel to work a minimum number of shifts per week at these facilities. Irrespective of these minimum shift requirements, the bill requires mandatory daily operational hours as follows:

1. Danbury—eight hours per day on Monday through Friday and four hours per day on Saturday and Sunday;
2. Greenwich—12 hours per day on Monday through Friday and eight hours per day on Saturday and Sunday; and
3. Union—eight hours per day on Monday through Friday and four hours per day on Saturday and Sunday.

However, these mandatory operational hours remain subject to provisions of another law that requires the State Police to temporarily close a weigh station when a backlog of truck traffic waiting to be inspected creates a traffic hazard.

EFFECTIVE DATE: October 1, 2008

**BACKGROUND*****Truck Weighing and Safety Inspection Operations***

There are five fixed-site truck weighing and inspection areas in the

state—I-84 in Danbury and Union, I-95 in Greenwich and Waterford, and I-91 in Middletown. In addition, there are numerous other areas throughout the state that DPS and DMV may use to conduct weight and safety inspections using portable scales.

Both the State Police and DMV conduct weight and safety inspections, although the programs have different objectives. The State Police program primarily enforces state laws and federal and state safety regulations. It results in significantly more truck weighing than the DMV program, but fewer safety inspections. It also results in more citations. Federal law requires that each state annually certify that it is effectively enforcing its vehicle size and weight laws or face withholding of federal funds for its failure to do so.

The DMV program is run as part of the federal Motor Carrier Safety Assistance Program (MCSAP). The primary goal of MCSAP is to encourage and assure motor carrier compliance with federal safety regulations, which, by reference, have also been adopted as state safety regulations. Thus, DMV inspectors conduct more safety inspections than the State Police and less truck weighing. A portion of the costs for DMV inspectors is borne by an annual federal grant under MCSAP, provided program objectives are being met. By agreement with the State Police, DMV inspection personnel are primarily responsible for weighing and safety inspection activities at the Union facility.

### ***Minimum Shift Requirements***

The minimum number of work shifts the law already requires DPS and DMV personnel to work at the three weighing areas affected by the bill are shown below.

<i>Weighing Area</i>	<i>Current Work Shift Requirements</i>
Greenwich	Eight work shifts in each calendar week. Shifts may not be consecutive except two shifts may be worked consecutively on up to



	three days per period.
Danbury	Three shifts in each calendar week, with the public safety commissioner coordinating coverage, whenever possible, with the Greenwich area to ensure concurrent coverage.
Union	Between five and eight shifts in each calendar week. The DMV commissioner must coordinate operation hours for the Union area.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea 31 Nay 0 (03/07/2008)